

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
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ELSA GULINO, ET AL.,

USDC SDNY
DOCUMENT
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DATE FILED: 2/13/2023

Plaintiffs,

-against-

96-CV-8414 (KMW)

THE BOARD OF EDUCATION OF THE
CITY SCHOOL DISTRICT OF THE CITY
OF NEW YORK,

ORDER

Defendant.

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KIMBA M. WOOD, United States District Judge:

On May 20, 2014, this case was referred to Special Master John S. Siffert pursuant to Federal Rule of Civil Procedure 53(a)(1)(B) and this Court's inherent equitable powers and authority. (ECF Nos. 435, 524.) On February 10, 2023, Special Master Siffert filed a Report and Recommendation ("R&R") regarding three claimants whose damages awards were reduced to proposed consent orders and judgments and submitted to the Special Master in accordance with the Sixth Stipulation Regarding Expedited Hearing Process. (ECF No. 10390.) The Sixth Stipulation Regarding Expedited Hearing Process is attached as Exhibit 1 to the R&R, and the three claimants are identified in Exhibit 2 to the R&R. The Special Master recommended that this Court adopt the Stipulated Findings of Fact and Conclusions of Law for each of the three claimants, found in Exhibit 2 to the R&R; direct entry of the Consent Orders and Judgments for those claimants, also contained in Exhibit 2 to the R&R; and certify those Consent Orders and Judgments as final and appealable pursuant to Federal Rule of Civil Procedure 54(b). (*Id.*)

The parties agree that objections that have been preserved in the record do not need to be resubmitted to the Court in connection with the R&R. The parties further agree that the Court

may adopt or reject the R&R on the basis of the arguments and objections to rulings contained in the record.

As set forth in the Second Amended Order of Appointment and consistent with Federal Rule of Civil Procedure 53(f), the Court reviews *de novo* all objections to conclusions of law and findings of fact made or recommended by the Special Master. (ECF No. 524.) Upon *de novo* review of the R&R, as well as the Stipulated Findings of Fact and Conclusions of Law—and after reviewing the previous Interim R&Rs that this Court has already adopted—the Court adopts the Special Master’s R&R in its entirety.

Accordingly, the Court adopts the Stipulated Findings of Fact and Conclusions of Law with respect to each of the three claimants and will enter the Consent Orders and Judgments for them. For the reasons set forth in the R&R, the Court holds there is no just reason for delay and certifies the judgments as final and appealable pursuant to Federal Rule of Civil Procedure 54(b).

SO ORDERED.

Dated: New York, New York
February 13, 2023

/s/ Kimba M. Wood
KIMBA M. WOOD
United States District Judge